

EXHIBIT A

SEAN E. REGAN, ESQ. I.D. #045651991
GIORDANO, HALLERAN & CIESLA, P.C.

125 Half Mile Road, Suite 300

Red Bank, New Jersey 07701

(732) 741-3900

Attorneys for Plaintiff, Maier Solar Engineering, LLC d/b/a Solar Me USA

MAIER SOLAR ENGINEERING, LLC d/b/a
SOLAR ME USA,

Plaintiff,

v.

WELLS FARGO & COMPANY.

Defendant.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

DOCKET NO. MID-3330-21

Civil Action

SUMMONS

From: State of New Jersey

To: Wells Fargo & Company
CORPORATION SERVICE COMPANY
PRINCETON SOUTH CORPORATE CENTER, SUITE 160,
100 CHARLES EWING BLVD
EWING, NJ 08628

The Plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, CN-971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If

judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf

/s/ Michelle M. Smith
MICHELLE M. SMITH,
Clerk of the Superior Court

Dated: June 4, 2021

**Directory of Superior Court Deputy Clerk's Offices
County Lawyer Referral and Legal Services Offices**

ATLANTIC COUNTY:

Deputy Clerk of the Superior Court
Civil Division, Direct Filing
1201 Bacharach Blvd., First Fl.
Atlantic City, NJ 08401

LAWYER REFERRAL

(609) 345-3444

LEGAL SERVICES

(609) 348-4200

BERGEN COUNTY:

Deputy Clerk of the Superior Court
Civil Division, Room 115
Justice Center, 10 Main St.
Hackensack, NJ 07601

LAWYER REFERRAL

(201) 488-0044

LEGAL SERVICES

(201) 487-2166

BURLINGTON COUNTY:

Deputy Clerk of the Superior Court
Central Processing Office
Attn: Judicial Intake
First Fl., Courts Facility
49 Rancocas Rd.
Mt. Holly, NJ 08060

LAWYER REFERRAL

(609) 261-4862

LEGAL SERVICES

(609) 261-1088

CAMDEN COUNTY:

Deputy Clerk of the Superior Court
Civil Processing Office
Hall of Justice
1st Fl., Suite 150
101 South 5th Street
Camden, NJ 08103

LAWYER REFERRAL

(856) 482-0618

LEGAL SERVICES

(856) 964-2010

CAPE MAY COUNTY:

Deputy Clerk of the Superior Court
9 N. Main Street
Cape May Court House, NJ 08210

LAWYER REFERRAL

(609) 463-0313

LEGAL SERVICES

(609) 465-3001

CUMBERLAND COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office
60 West Broad Street
P.O. Box 10
Bridgeton, NJ 08302

LAWYER REFERRAL

(856) 696-5550

LEGAL SERVICES

(856) 691-0494

ESSEX COUNTY:

Deputy Clerk of the Superior Court
Civil Customer Service
Hall of Records, Room 201
465 Dr. Martin Luther King Jr. Blvd.
Newark, NJ 07102

LAWYER REFERRAL

(973) 622-6204

LEGAL SERVICES

(973) 624-4500

GLOUCESTER COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office
Attn: Intake
First Fl., Court House
1 North Broad Street
Woodbury, NJ 08096

LAWYER REFERRAL

(856) 848-4589
LEGAL SERVICES
(856) 848-5360

HUDSON COUNTY:

Deputy Clerk of the Superior Court
Superior Court, Civil Records Dept.
Brennan Court House--1st Floor
583 Newark Ave.
Jersey City, NJ 07306

LAWYER REFERRAL

(201) 798-2727
LEGAL SERVICES
(201) 792-6363

HUNTERDON COUNTY:

Deputy Clerk of the Superior Court
Civil Division
65 Park Avenue
Flemington, NJ 08822

LAWYER REFERRAL

(908) 236-6109
LEGAL SERVICES
(908) 782-7979

MERCER COUNTY:

Deputy Clerk of the Superior Court
Local Filing Office, Courthouse
175 S. Broad Street, P.O. Box 8068
Trenton, NJ 08650

LAWYER REFERRAL

(609) 585-6200
LEGAL SERVICES
(609) 695-6249

MIDDLESEX COUNTY:

Deputy Clerk of the Superior Court,
Middlesex Vicinage
2nd Floor - Tower
56 Paterson Street, P.O. Box 2633
New Brunswick, NJ 08903-2633

LAWYER REFERRAL

(732) 828-0053
LEGAL SERVICES
(732) 249-7600

MONMOUTH COUNTY:

Deputy Clerk of the Superior Court
Court House
P.O. Box 1269
Freehold, NJ 07728-1269

LAWYER REFERRAL

(732) 431-5544
LEGAL SERVICES
(732) 866-0020

MORRIS COUNTY:

Morris County Courthouse
Civil Division
Washington and Court Streets
P. O. Box 910
Morristown, NJ 07963-0910

LAWYER REFERRAL

(973) 267-5882
LEGAL SERVICES
(973) 285-6911

OCEAN COUNTY:

Deputy Clerk of the Superior Court
118 Washington Street, Room 121
P.O. Box 2191
Toms River, NJ 08754-2191

LAWYER REFERRAL

(732) 240-3666
LEGAL SERVICES
(732) 341-2727

PASSAIC COUNTY:

Deputy Clerk of the Superior Court
Civil Division
Court House
77 Hamilton Street
Paterson, NJ 07505

LAWYER REFERRAL

(973) 278-9223
LEGAL SERVICES
(973) 523-2900

SALEM COUNTY:

Deputy Clerk of the Superior Court
Attn: Civil Case Management Office
92 Market Street
Salem, NJ 08079

LAWYER REFERRAL

(856) 935-5629
LEGAL SERVICES
(856) 691-0494

SOMERSET COUNTY:

Deputy Clerk of the Superior Court
Civil Division
P.O. Box 3000
40 North Bridge Street
Somerville, N.J. 08876

LAWYER REFERRAL

(908) 685-2323
LEGAL SERVICES
(908) 231-0840

SUSSEX COUNTY:

Deputy Clerk of the Superior Court
Sussex County Judicial Center
43-47 High Street
Newton, NJ 07860

LAWYER REFERRAL

(973) 267-5882
LEGAL SERVICES
(973) 383-7400

UNION COUNTY:

Deputy Clerk of the Superior Court
1st Fl., Court House
2 Broad Street
Elizabeth, NJ 07207-6073

LAWYER REFERRAL

(908) 353-4715
LEGAL SERVICES
(908) 354-4340

WARREN COUNTY:

Deputy Clerk of the Superior Court
Civil Division Office
Court House
413 Second Street
Belvidere, NJ 07823-1500

LAWYER REFERRAL

(908) 859-4300
LEGAL SERVICES
(908) 475-2010

SEAN E. REGAN, ESQ., I.D. No. 045651991
GIORDANO, HALLERAN & CIESLA, P.C.

125 Half Mile Road, Suite 300

Red Bank, N.J. 07701-6777

(732) 741-3900

Attorneys for Plaintiff, Maier Solar Engineering, LLC d/b/a Solar Me USA

MAIER SOLAR ENGINEERING, LLC d/b/a
SOLAR ME USA,

Plaintiff,

v.

WELLS FARGO & COMPANY.

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
MIDDLESEX COUNTY

DOCKET NO. MID-L-____-21

Civil Action

**COMPLAINT, DESIGNATION OF
TRIAL COUNSEL AND JURY DEMAND,
CERTIFICATION PURSUANT TO R. 4:5-1**

Plaintiff, Maier Solar Engineering, LLC d/b/a Solar Me USA ("Plaintiff") by way of complaint against the Defendants says:

1. Plaintiff is a New Jersey Limited Liability Company doing business at 110 Main Street, Suite 201, South Amboy, Middlesex County, New Jersey.

2. Defendant Wells Fargo & Company is a national banking institution doing business throughout the State of New Jersey, including Middlesex County ("Defendant" or "Wells Fargo").

3. Brett Cooper ("BC") is an individual residing at 208 Demarest Road, Moorestown, Burlington County, New Jersey.

4. Between January 1, 2020 and October 1, 2020, and at other times BC stole, took, and converted to his own use checks and negotiable instruments ("negotiable instruments") made payable to Plaintiff, and deposited them into his own personal accounts to the exclusion of Plaintiff.

5. Wells Fargo's was subpoenaed by the Middlesex County's Prosecutor's office, and was notified that BC had been cashing checks and negotiable instruments at Wells Fargo over fraudulent endorsement, which checks and negotiable instruments were made payable to Plaintiff.

6. The total amount of fraudulently endorsed checks and negotiable instruments known to have been cashed to date is at least \$101,506. See Exhibit A.

7. There may be other checks unknown to Plaintiff, and Plaintiff reserves the right to amend this complaint.

8. On information from the Middlesex County Prosecutor's Office BC has been arrested and charged with crimes for the acts described herein.

9. BC was not a "representative" authorized to receive checks and negotiable instruments for Plaintiff from customers.

10. BC took checks and negotiable instruments payable to Plaintiff from customers of Plaintiff, and persons who were not customers of Plaintiff and stole, took or converted the proceeds for his own use.

11. Plaintiff was the rightful owner of the negotiable instruments.

12. Plaintiff did not endorse the negotiable instruments.

13. Plaintiff did not give to, or otherwise negotiate to BC the negotiable instruments.

14. Plaintiff did not entrust BC to handle the checks and negotiable instrument.

15. Wells Fargo paid to BC the proceeds due for the checks and negotiable instruments.

16. Wells Fargo paid to BC the proceeds due for the checks and negotiable instruments with no endorsement from Plaintiff.

17. Wells Fargo paid to BC the proceeds due for the checks and negotiable instruments over a false, fraudulent and improper endorsement.

18. BC received into his own bank account(s) at Wells Fargo, or otherwise, the proceeds of the checks and negotiable instruments.

19. BC, and Wells Fargo remain in possession of said proceeds.

20. Plaintiff did not receive the proceeds of the stolen and fraudulently enclosed checks and negotiable instruments.

FIRST COUNT

(N.J.S.A. 12A:3-420, et seq.)

1. Plaintiff repeats and re-alleges all of the allegations in the Complaint as if set forth more fully at length herein.

2. Wells Fargo owed a statutory duty to the public and Plaintiff, N.J.S.A. 12A:3-420, et seq., and otherwise, to not to pay the checks and negotiable instruments over the BC's fraudulent indorsement.

3. Wells Fargo breached its statutory duty and breached its duty to Plaintiff.

4. As a result of Wells Fargo's breach of its duty Plaintiff has suffered injury and damages.

5. Wells Fargo is strictly liable for Plaintiff's loss, injury and damages.

WHEREFORE, Plaintiff demands judgment against Wells Fargo for compensatory and consequential damages, attorneys' fees, interest, costs of suit and any other remedy the court finds equitable and just.

SECOND COUNT

(Negligence)

1. Plaintiff incorporates by reference, in lieu of repetition the allegations set forth above, and in the First Count of the Complaint as if set forth more fully at length herein.

2. Wells Fargo owed a duty to Plaintiff to not pay the checks and negotiable instruments over the BC's fraudulent indorsement.

3. Wells Fargo breached its duty to Plaintiff, and was negligent in its actions in paying the proceeds of the fraudulently indorsed checks and negotiable instruments to BC, and negligently concealed the same misleading the Plaintiff.

4. Wells Fargo breached its duty to Plaintiff, and Plaintiff did not entrust BC to handle the negotiable instrument.

5. As a result of Wells Fargo's breach of its duty Plaintiff has suffered injury and damages.

WHEREFORE, Plaintiff demands judgment against Wells Fargo for compensatory and consequential damages, attorneys' fees, interest, costs of suit and any other remedy the court finds equitable and just.

THIRD COUNT

(Fraudulent Concealment)

1. Plaintiff incorporates by reference, in lieu of repetition the allegations set forth above, and in the First and Second Counts of the Complaint as if set forth more fully at length herein.

2. Wells Fargo had a duty to Plaintiff, and otherwise to not pay the checks and negotiable instruments over the BC's fraudulent indorsement.

3. Wells Fargo fraudulently concealed the payment of the proceeds of the fraudulently indorsed checks and negotiable instruments to BC, and concealed the same from Plaintiff in order to mislead the Plaintiff.

4. Plaintiff was misled by the concealment of the fraudulently indorsed checks.

5. As a result of Wells Fargo's concealment of the payments to BC, Plaintiff has suffered injury and damages.

WHEREFORE, Plaintiff demands judgment against Wells Fargo for compensatory and consequential damages, attorneys' fees, punitive damages, interest, costs of suit and any other remedy the court finds equitable and just.

FOURTHCOUNT

(In Rem and Attachment; Injunctive Relief)

1. Plaintiff incorporates by reference, in lieu of repetition the allegations set forth above, and in the First, Second, Third, Fourth, and Fifth Counts of the Complaint as if set forth more fully at length herein.

2. Plaintiff is entitled to the proceeds of the checks and negotiable instruments located in accounts at Wells Fargo, or otherwise.

3. Plaintiff is entitled to the proceeds of the checks and negotiable instruments in any form they are now constituted in the possession, or control of Wells Fargo.

4. Plaintiff is entitled to attachment and turnover, and injunctive relief against the proceeds of the checks and negotiable instruments.

5. Plaintiff requests the court order a turnover of the proceeds of the checks and negotiable instruments from Wells Fargo.

WHEREFORE, Plaintiff demands judgment against Wells Fargo for compensatory and consequential damages, attorneys' fees, interest, costs of suit, and for attachment, turnover and injunctive relief requiring attachment and turn over, and any other remedy the court finds equitable and just.

DESIGNATION OF TRIAL COUNSEL

Pursuant to R. 4:25-4, Sean E. Regan, Esq. is hereby designated as trial counsel.

DEMAND FOR TRIAL BY JURY

PLEASE TAKE NOTICE, that Plaintiff demands a trial of the issues by a jury of six.

CERTIFICATION PURSUANT TO R. 4:5-1

The undersigned hereby certifies that this matter is not the subject of any other action pending in any court or arbitration proceeding. The undersigned hereby certifies that he knows of no other parties who should be joined in the action at this time.

GIORDANO, HALLERAN & CIESLA, P.C.
A Professional Corporation
Attorneys for Plaintiff, Maier Solar
Engineering, LLC d/b/a Solar Me USA

By: 
SEAN E. REGAN, ESQ

Dated: June 3, 2021

EXHIBIT A

EXHIBIT A**Checks Payable to Solar Me Cleared into Cooper Account by Wells Fargo Over Fraudulent Inducement**

Client	Routing Number	Account No.	Amount	Check No.	Date of Check	Bank Drawn On:
Prachi P. Dharadhikari	031207607	_____0657	\$2,330.00	144	11/12/20	PNC Bank
Prachi P. Dharadhikari	031207607	_____0657	\$2,840.00	142	8/19/20	PNC Bank
Prachi Dharadhikari	231372691	_____6016	\$15,800.00	107	8/19/20	Santander Bank
Martin F. Rusch III	006300047	_____6005	\$10,636.00	6284	7/26/20	Bank of America
Martin F. Rusch III	006300047	_____6005	\$14,000.00	6239	6/4/20	Bank of America
Terrance W. Leach II	031000503	_____1355	\$39,500.00	253	2/27/20	Wells Fargo Bank, NA
Varshal B. Patel	221278213	_____4756	\$16,400.00	946	8/19/20	Merck Employees Federal Credit Union
Total: 7 checks			\$101,506			

Civil Case Information Statement

Case Details: MIDDLESEX | Civil Part Docket# L-003330-21

Case Caption: MAIER SOLAR ENGINEER ING, LLC VS
WELLS FARGO & C

Case Initiation Date: 06/03/2021

Attorney Name: SEAN E REGAN

Firm Name: GIORDANO HALLERAN & CIESLA, PC

Address: 125 HALF MILE ROAD SUITE 300

RED BANK NJ 07701

Phone: 7327413900

Name of Party: PLAINTIFF : Maier Solar Engineering, LLC

Name of Defendant's Primary Insurance Company

(if known): Unknown

Case Type: CONTRACT/COMMERCIAL TRANSACTION

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

Are sexual abuse claims alleged by: Maier Solar Engineering, LLC
? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO **Title 59?** NO **Consumer Fraud?** NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

06/03/2021

Dated

/s/ SEAN E REGAN

Signed

MIDDLESEX VICINAGE CIVIL DIVISION
P O BOX 2633
56 PATERSON STREET
NEW BRUNSWICK NJ 08903-2633

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (732) 645-4300
COURT HOURS 8:30 AM - 4:30 PM

DATE: JUNE 03, 2021
RE: MAIER SOLAR ENGINEER ING, LLC VS WELLS FARGO & C
DOCKET: MID L -003330 21

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON ALBERTO RIVAS

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 003
AT: (732) 645-4300 EXT 88371.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: SEAN E. REGAN
GIORDANO HALLERAN & CIESLA, PC
125 HALF MILE ROAD SUITE 300
RED BANK NJ 07701

ECOURTS